

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04CV11450 RGS

CRYSTAL MOTOR EXPRESS, INC.,  
Plaintiff

v.

TOWN OF LYNNFIELD,  
Defendant

**DEFENDANT'S LOCAL RULE 26.1(B)(2) DISCLOSURE**

Pursuant to United States District Court Local Rule 26.1(B)(2), the Defendant, Town of Lynnfield, discloses the following:

- (a) The below-listed persons are now known to Defendant's Counsel to have witnessed the transaction or occurrence giving rise to this litigation or to have substantial discoverable information about the claims and defenses:

**Applicant**

1. Ronald E. Masiello, Trustee of Crystal Land Investment Trust;
2. John H. Kimball, Esq., Kimball & Kimball, Lynnfield, MA; represented applicant before Lynnfield Board of Appeals;
3. Peter J. Ogren, President, Hayes Engineering Inc.; evaluation of site plan for applicant;
4. Helen M. McCarthy, Trustee of Hidden Valley Trust; former owner of site;
5. George Livingstone; architect for applicant;

6. Joan C. Peyrebrune, Vanasse Hangen Brustlin, Inc.; traffic impact evaluation;
7. John Connolly, Jr., Esq., Wakefield, MA; represented applicant before Mass. Department of Environmental Protection;
8. Garrett G. Hollands, ENSR; river front area and storm water management consultant;
9. James E. Tamagini, Esq., Waltham, MA; attorney for Crystal Motors;
10. Charles Masiello, Wakefield, MA; Crystal Motor Express.

Town

1. John C. Smith, Chairman, Lynnfield Board of Appeals;
2. Anthony R. Rizzo, former member (deceased), Lynnfield Board of Appeals;
3. John B. Rodgers, member, Lynnfield Board of Appeals;
4. Captain Robert McKendrick, Lynnfield Fire Department; fire safety issues of site plan;
5. Betty Adelson, Lynnfield Conservation Administrator;
6. Diane Hammerback, Secretary, Lynnfield Board of Appeals;
7. Richard Hatfield, Lynnfield Board of Health;
8. Richard Peinert, M.D., Lynnfield Board of Health;
9. Kenneth Burnham, Lynnfield Board of Health;
10. James J. Nugent, Jr., Health Agent, Lynnfield Board of Health;
11. Annete Gange, Recording Secretary, Lynnfield Board of Health;

12. Richard J. O'Neil, Jr., Chairman, Lynnfield Planning Board;
13. Thomas G. Hill, Vice Chairman, Lynnfield Planning Board;
14. Patrick J. Sullivan, Clerk, Lynnfield Planning Board;
15. Richard Dalton, member, Lynnfield Planning Board;
16. Donald G. Harriss, member, Lynnfield Planning Board.

Other Public Officials

1. A. Margaret Finn, Massachusetts Department of Environmental Protection;  
environmental analyst;
2. Heidi Davis, Massachusetts Department of Environmental Protection;  
environmental analyst;
3. Thomas Maguire, Massachusetts Department of Environmental Protection;  
storm water management coordinator;
4. Kelli E. Gunagan, Assistant Attorney General, Massachusetts Attorney  
Generals' Office.

Abutters/Citizens

1. Nalin Mistry, 25 Bluejay Road, Lynnfield, MA;
2. Jette B. Mistry; 25 Bluejay Road, Lynnfield, MA;
3. Davis Gadbois, Gadbois & Bergeron, 27 Prospect Street, Marlboro, MA;  
attorney for a abutters;
4. Carl LaGreca, 27 Bluejay Road, Lynnfield, MA;

5. Robin LaGreca, 27 Bluejay Road, Lynnfield, MA;
6. Kyle Martini, P.E., Cambridge Acoustical Associates, Cambridge, MA;  
abutter's consultant;
7. Forrest C. Lindwall; engineering consultant for abutters
8. Curtis R. Young, Wetlands Preservation, Inc.; wetlands resource areas  
consultant for abutters;
9. Todd Weatherbee, Hidden Valley Road, Lynnfield, MA;
10. Arthur DeRosa, 26 Blue Jay Road, Lynnfield, MA;
11. Philip Singleton, 12 Charingcross Road, Lynnfield, MA;
12. Anthony Zaccaria, 2 Gianna Drive, Saugus, MA;
13. Allan DesRosiers, 24 Bishops Lane, Lynnfield, MA;
14. Thomas E. Phalen, Jr., Winchester, MA; Consulting Engineer for abutters;
15. Steven Willis.

Defendant reserves the right to supplement these disclosures.

- (b) The below-listed opposing parties and agents of the opposing parties have made statements concerning the subject matter of this litigation that have been obtained by the Defendant.

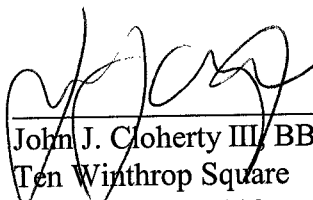
None.

- (c) The below-listed government agencies or officials are now know to Defendant's Counsel to have investigated the subject matter of this litigation.

Commonwealth of Massachusetts Department of Environmental Protection.

Respectfully Submitted,  
The Defendant,  
TOWN OF LYNNFIELD  
By its Attorneys,

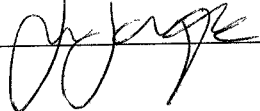
**PIERCE, DAVIS & PERRITANO, LLP**

  
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John J. Cloherty III, BBO # 566522  
Ten Winthrop Square  
Boston, MA 02110  
(617) 350-0950

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true copy of the  
above document was served upon the attorney of  
record for each party by mail ~~by hand~~. *electronic filing*

10/4/04  
Date

  
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